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|-------------------------------|------------------------|-----------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b>   |  |
|                               | 09/898,807             | APOSTOLOPOULOS ET AL. |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>       |  |
|                               | Le H. Luu              | 2141                  |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed on 02/15/05 and interview on 07/19/05.
2. ☒ The allowed claim(s) is/are 1-7, 11-14, 16-21, 24-32 and 36-39.
3. ☒ The drawings filed on 22 October 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                 | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20050722</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____  |

  
**LE HIEN LUU**  
**PRIMARY EXAMINER**

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1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. John P. Wagner, Jr. on July 19, 2005 to further limit independent claims 1, 16, and 26 with limitations "selecting a second server to receive a handoff of a multiple description streaming media session between a first server and a client by said first server" and "receiving at said second server, said second multiple description bitstream from said first server for streaming to said client", and cancel claims 8-9, 22-23, and 33-34.

3. Delete claims 1, 8-9, 11, 16, 22-23, 25-26, 33-34, and 36 and substitute therefor:

-- 1. (Currently Amended) A method for handing off to a second server, in a streaming media system, a multiple description streaming session between a first server and a client, said method comprising:

selecting a second server to receive a handoff of a multiple description streaming media session between a first server and a client by said first server, said multiple description streaming media session comprised of a first multiple description bitstream and a second multiple description bitstream;

receiving at said second server, said second multiple description bitstream from said first server for streaming to said client; and

sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client.

8. (Canceled).

9. (Canceled).

11. (Currently Amended) The method for handing off to a second server, in a streaming media system, a multiple description streaming session between a first server and a client as recited in Claim [[9]] 1 further comprising:

receiving, at said second server, said first multiple description bitstream.

16. (Currently Amended) A method for handing off to a second server, in a streaming media system, a multiple description streaming session between a first server and a client, said method comprising:

selecting a second server to receive a handoff of a multiple description streaming media session between a first server and a client by said first server, said multiple description streaming media session comprised of a first multiple description bitstream and a second multiple description bitstream;

sending prefetch information to said second server;

receiving at said second server, said second multiple description bitstream from said first server for streaming to said client; and

sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client;

receiving, at said second server, said first multiple description bitstream;

sending said first multiple description bitstream from said second server to said client; and

dropping communication between said first server and said client.

22. (Canceled).

23. (Canceled).

25. (Currently Amended) The method for handing off to a second server, in a streaming media system, a multiple description streaming session between a first server and a client as recited in Claim ~~[[15]]~~ 14 wherein said receiving said first multiple description bitstream comprises:

receiving, at said second server, said first multiple description bitstream from a content source.

26. (Currently Amended) A computer readable medium having computer readable code stored thereon for causing a network device to cause a handoff to a second server, in a streaming media system, of a multiple description streaming session between a first server and a client, said method comprising:

selecting a second server to receive a handoff of a multiple description streaming media session between a first server and a client by said first server, said multiple

description streaming media session comprised of a first multiple description bitstream and a second multiple description bitstream;

receiving at said second server, said second multiple description bitstream from said first server for streaming to said client; and

sending said second multiple description bitstream from said second server to said client while said first server continues to send said first multiple description bitstream to said client.

33. (Canceled).

34. (Canceled).

36. (Currently Amended) The computer readable medium of Claim 26 34 wherein said computer readable medium further includes computer readable code stored thereon for causing said network device to further perform:

receiving, at said second server, said first multiple description bitstream.

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4. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record teaches the claimed invention substantially as discussed in the prosecution history of this application, but it fails to teach or suggest individually or in combination that a first server selects a second server to receive a handoff of a multiple description streaming media session between said first server and a client, said

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multiple description streaming media session comprised of a first multiple description bitstream and a second multiple description bitstream, and said second server receives said second multiple description bitstream from said first server for streaming to said client as set forth in independent claims 1, 16, and 26. Claims 1-7, 11-14, 16-21, 24-32, and 36-39 are allowed because of the combination of other limitations and the limitation stated above.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

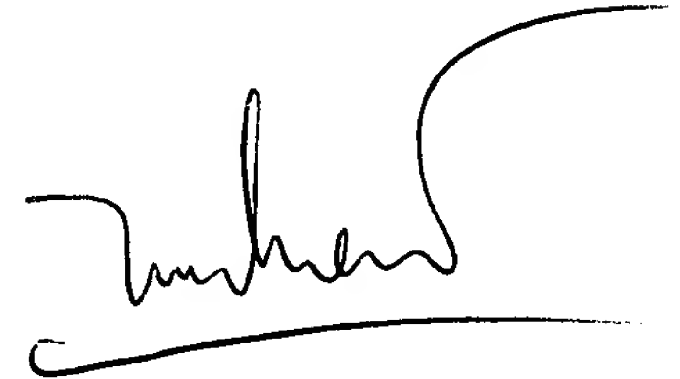
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', with a long horizontal flourish extending to the right.

LE HIEN LUU  
PRIMARY EXAMINER

July 22, 2005